

### **REMARKS**

Applicants respectfully request the Examiner to reconsider the present application in view of the following remarks.

#### ***Status of the Claims***

Claims 6-11 are pending in the present application. In view of Applicants' remarks below, Applicants respectfully submit that claims 6-11 are in condition for allowance. Accordingly, Applicants respectfully request that the present Response be considered and entered, the rejections to the claims be withdrawn, and that the case now be passed to issue.

#### ***Issues under 35 U.S.C. § 103(a)***

Claims 6-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 03/072619 (see paragraphs 1-3 of the Office Action). Applicants respectfully traverse the rejection and reconsideration is based on the following remarks.

In the Combined Declaration and Power of Attorney, Applicants claimed foreign priority benefits for JP 2003-283857. Applicants have filed herewith a verified English translation of the foreign priority document having a filing date of July 31, 2003. The foreign priority document supports the invention as presently claimed.

Applicants have perfected a claim to priority under 35 U.S.C. § 119, and the foreign priority date antedates the international publication date of WO 03/072619. As such, the cited reference cannot be considered prior art under 35 U.S.C. § 102(a) and is limited to prior art under 35 U.S.C. § 102(e).

*Statement of Common Ownership*

Application No. 10/562,638 (the present application) and International Application Publication No. WO 03/072619 were, at the time the invention of Application No. 10/562,638 was made, owned by Zeon Corporation.

According to MPEP 706.02(1), the above statement alone is sufficient evidence to disqualify the cited reference from being used in a rejection under 35 U.S.C. § 103(a) against the claims of the present application. As such, withdrawal of the rejection is respectfully requested.

***Conclusion***


A full and complete response has been made to all issues as cited in the Office Action. Applicants have taken substantial steps in efforts to advance prosecution of the present application. Thus, Applicants respectfully request that a timely Notice of Allowance issue for the present case.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Marc S. Weiner (Reg. No. 32,181) at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: **APR 11 2008**

Respectfully submitted,

f By  #42-874  
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Attachment: English translation of JP 2003-283857  
and verification thereof (36 pages)